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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,169	08/30/2001	James R. Zarian	5586-1106	9535

7590

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EXAMINER

ULLAH, AKM E

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 09/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/943,169

Applicant(s)

ZARIAN ET AL.

Examiner

Akm Enayet Ullah

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 28-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 25,26 and 28-45 is/are allowed.
- 6) ☐ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Detailed Action***

Applicant cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Status of the Application***

Claims 1-26 and 28-45 are pending in this application. Claim 27 has been cancelled.

This is a continuation of serial no. 09/402,102 filed on 09-27- 1999, now USPNO. 6,282,355 which has priority from application serial no. 08/826,168 filed on 03-27- 1997, now USPNO. 5,903,695, which is, claim priority from provisional application serial no. 60/014,222, filed on March 27, 1996.

If applicant is aware of any prior art or any other co- pending application not already of record, he/she is reminded of his/her duty under 37 CFR 1.56 to disclose the same.

***Drawings***

This application has been filed on August 30, 2001 with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

**35 USC 102 Rejections**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Duguay (USPNO. 4,989,933) or Rockwell, III (USPNO. 5,106,181).

Figure 9 of Duguay shows an enlargement of the light input end of the fiber where light source from 81 is brought in via an optical fiber 83 has a core 83a, a cladding 83b. Light diffusing particles is introduced to create a source of uniform diffuse lighting. For details see column 9 of the reference.

Columns 9-10 of Rockwell, III shows light must initially traveling through the waveguide core 22, cladding layers 24 and a diffusing layer 26.

For details see columns 9-10 of the reference.

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rockwell, III (USPNO. 5,106,181) in view of Nakamura et al (USPNO. 5,969,343).

Columns 9-10 of Rockwell, III shows light must initially traveling through the waveguide core 22, cladding layers 24 and a diffusing layer 26.

For details see columns 9-10 of the reference.

Nakamura et al disclose a linear illumination device which includes a guide made of a light transmitting material, light emitting means for allowing light to enter interior of the guide, a light diffusing section thereby providing substantially linear illumination light along a direction. Note that having a finish jacket surrounding the cores is an inherent teaching of the references.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Rockwell, III in Nakamura et al since, Nakamura mentioned that diffusing layer is made of a light diffuser and a light transmitting resin for diverting layer being a holographic layer or polarizing film or refractive film or reflective film or a dichroic film.

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***Allowed Claims***

Claims 25-26 and 28 - 45 are allowed over the prior art as of record.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akm Enayet Ullah whose telephone number is 703-308-4885. The examiner can normally be reached on Mon.- Thurs. 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 703-308- 4819. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Akm Enayet Ullah  
Primary Examiner  
Art Unit 2874